

Notice of Allowability

Application No.

09/994,914

Examiner

TUAN A. PHAM

Applicant(s)

OKADA ET AL.

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed on 12/20/2005.
2. ☒ The allowed claim(s) is/are 1-3, 5, 6, 15, 27 and 28.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Attorney of record Raymond Y. Mah, on 02-27-2006.

3. The application has been amended as follows:

In the claims:

In claim 1, line 1, before "electronic", replace "An" with -- A game and a mobile phone type --.

In claim 2, line 1, before "electronic", replace "An" with -- A game and a mobile phone type --.

In claim 3, line 1, before "electronic", replace "An" with -- A game and a mobile phone type --.

In claim 5, line 1, before "electronic", replace "An" with -- A game and a mobile phone type --.

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In claim 6, line 1, before "electronic", replace "An" with -- A game and a mobile phone type --.

In claim 15, line 1, before "electronic", replace "An" with -- A game and a mobile phone type --.

In claim 27, line 1, before "electronic", replace "An" with -- A game and a mobile phone type --.

In claim 28, line 1, before "electronic", replace "An" with -- A game and a mobile phone type --.

(End of Amendment)

REASONS FOR ALLOWANCE

4. Claims 1-3, 5-6, 15, and 27-28 are allowed over the prior art of record.

5. The following is an examiner's statement of reasons for allowance:

The applicant's Remarks, filed on 12/20/2005, have been carefully reviewed with update search. Consequently, reasons for allowance of claims 1-3, 5-6, 15, and 27-28 are set forth in according to the applicant's remarks stated on pages 5-6.

Regarding claim 1, the prior art made of record fails to clearly teach or fairly suggest the feature of a game and a mobile phone type electronic apparatus comprising a game CPU, phone CPU, play key, interrupt key, and a key register to which first information is set in response to an operation of the play key and second information is set in response to an operation of the interruption key, wherein the game related process include a game process to play the game when the first information is set into the key register and an interruption process to interrupt the game process when the second information is set into the key register, and phone related process includes a setting process to set the second information into the key register when an incoming phone call is detected, in combination with other limitations, as specified in the independent claims 2-3, 5-6, 15, and 27-28.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

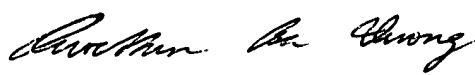
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Tuan A. Pham** whose telephone number is (571) 272-8097. The examiner can normally be reached on Monday through Friday, 8:00 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mrs. Doris To can be reached on (571) 272-7629 and **IF PAPER HAS BEEN MISSED FROM THIS OFFICIAL ACTION PACKAGE, PLEASE CALL Customer Service at (571) 272-2600 FOR THE SUBSTITUTIONS OR COPIES.**

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have question on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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February 27, 2006
Examiner

Tuan Pham

 3/6/06
QUOCHIEN B. VUONG
PRIMARY EXAMINER